3. പഴഞ്ഞി.
4. കുന്നംകുളം
5. ഇരിങ്ങാലക്കുട.
6. വടക്കുങ്കര.
7. മാള.
8. പഴയന്നൂർ.

മിസ്റ്റർ. എ. കെ. വെങ്കു അയ്യർ.—ആ കൊല്ലങ്ങളിലെ രാജ്യ ഭരണവർഷാന്തര റിപ്പോർട്ടുകൾ നോക്കുക

## Telephone lines.

**153. Mr. A. B. Salem.**—Will the Government be pleased to inform:—

(1) the agencies that run the telephone lines that are seen in Mattancheri and Ernakulam;

(2) whether any way-leave-fee is obtained from these agencies; if not, why not;

(3) what is the rate fixed by the Government for telephone connections given to private parties by the present agencies, and whether any Government sanction is required for changing the rates for private service connections?

**Mr. A. K. Vengu Ayyar.**—The telephone lines in Ernakulam attached to some of the Government buildings are run by the State. The other lines in Ernakulam and those in Mattancheri are run by the Imperial Telegraph Department under an agreement entered into with it.

In regard to the remaining portions of the question, the Government are unable to furnish any information by reason of section 11 (c) and (h) of the Legislative Council Regulation and Rule 7 (1) (a) of the Legislative Council Rules.

**Mr. A. B. Salem.**—Does the section include telephone also?

**Mr. A. K. Vengu Ayyar.**—Yes.

**Mr. A. B. Salem.**—You say that it is a prohibited subject. This constitutional question was raised last time also. When the question is once admitted by the President, it must be answered.

**President.**—Though the President has admitted a question which ought not to have been allowed, the Government can get out of the difficulty by refusing to answer it. There is no obligation on the part of the Government to answer. It is only a request for information.

**Mr. A. B. Salem.**—If they refuse to answer, they are sitting in judgment over the rulings of the President.

**President.**—The President, out of omission, might have admitted the question, but it is open to the Government not to answer. Because certain questions which ought not to have been allowed by the President are admitted, they do not want

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to take up the matter before the President by asking him to reconsider them. Their view is that they have right not to answer them.

**Mr. A. B. Salem.**—This difficulty arises, because we have the same person as the Diwan on the one side, and as the President on the other side.

The reason given is that it comes under the prohibitive section. The section is 11 (h) of the Regulation. Only Imperial Post Office, Telegraph and Railways are mentioned there; not telephone. We can certainly ask a question that has not been restricted.

**President.**—Is not the telephone run by the Telegraph Department?

**Mr. A. K. Vengu Ayyar.**—Yes.

**Mr. A. B. Salem.**—The fact that the Telegraph Department runs the telephone does not make it prohibitive. Does it take away our right to discuss it?

**Mr. A. K. Vengu Ayyar.**—We have entered into an agreement with the Paramount Power.

**Mr. A. B. Salem.**—Then where is the section? None prohibits. If you have entered into an agreement with the Paramount Power, will that prohibit us from putting questions here?

**Mr. A. K. Vengu Ayyar.**—Section 11 (c) gives it. "Matters governed by treaties, conventions, or agreements now in force, and hereafter to be made by Our Government with the Paramount Power", should not be considered.

**Mr. A. B Salem.**—The Telegraph Department is not the Paramount Power.

**Mr. A. K. Vengu Ayyar.**—It is the Paramount Power in the sense that it represents the Paramount Power.

**Mr. A. B. Salem.**—The Paramount Power, I think, is the British Government.

**President.**—The Paramount Power means also any department representing the Paramount Power. Now, the question is whether the Telegraph Department represents the Paramount Power. It is a Government Department, and therefore, it represents the Paramount Power.

**Mr. A. B Salem.**—The Imperial Post Office, Telegraph and Railways—only these are prohibited. Telephones are not covered.

**Diwan Bahadur Dr. V. Verghese.**—It is also covered.

**Mr. A. B. Salem.**—I don't think he has any technical knowledge in these matters. It is only in medicine.

**President.**—You have no right to say 'he'. You ought not to have used that objectionable word.

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**Mr. A. B. Salem.**—I withdraw it, Sir.

**Dr. A. R. Menon.**—When a question is asked, I thought only the official Member responsible could answer. That was the reason why I kept quiet when grave allegations were made against me. The Secretary to the Diwan was answering the question. Then the Chief Medical Officer also got up and answered. Can't we, the non-officials also, put supplementary questions? I want a ruling.

**President.**—Only the Member putting the question can speak, but in the case of the officials any of them can answer, because all the Members together represent the Government.

**Dr. A. R. Menon.**—So, any of them can rise and answer a supplementary question?

**Mr. A. B. Salem.**—That is not my point. Is the Hon'ble Member competent to answer the question?

**President.**—You cannot say that he is not competent.

**Mr. A. B. Salem.**—That word was used against us only a few minutes back. If they can use that, we also can use it.

Then I want to know, because there is an agreement with the Paramount Power, how that takes away our right to discuss it here. Our country must get money out of that. It is only in the interest of our own country that I am asking this.

**Mr. T. K. Krishna Menon.**—The first hour is over, Sir.

**Dr. A. R. Menon.**—Whether question time is over or not, it is no matter. When a question is once put, whatever objections there may be, it must be fully answered.

**Mr. A. B. Salem.**—I ask this question, because I am interested in our Government. It is only in the public interest that I am standing here.

**President.**—You want the agencies that run telephone lines that are seen in Mattancheri and Ernakulam. The answer given is this; " The telephone lines in Ernakulam attached to some of the Government buildings are run by the State. The other lines in Ernakulam and those in Mattancheri are run by the Imperial Telegraph Department under an arrangement entered into with it".

"In regard to the remaining portion of the question, the Government are unable to furnish any information by reason of section 11 (c) and (h) of the Legislative Council Regulation and rule 7 (1) (a) of the Legislative Council Rules." Now, you say that there is no prohibition of any kind, that Government cannot seek the help of that section, and that the agreement is specifically mentioned there. That is your position. Government say that it is not correct. Now, what do you want the Government to do?

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**Mr. A. B. Salem.**—Do you rule as President of the Chamber that I have no right to put this question?

**President.**—You say that, by reason of the rules, Government are not precluded from answering. From the answer you see that Government are precluded from doing so.

**Mr. A. B. Salem.**—The interpretation of the rule is left to the President of the Chamber.

**President.**—The thing is this. You appeal to me. You put a question, and this is the answer that was given to you. Now, you say that their answer is not correct. On the other hand, the Government, on their part, say that they have got every right to say that.

**Mr. A. B. Salem.**—Government do not say "we will not answer." They only say that they are precluded from answering. Now, I say that they are not. They have misquoted the rule. It is for you to decide whether it has any application or not. If you rule that there is no application of the rule, then they can have no objection. I say the quotation made is not applicable to the present case. So I appeal to the Chair, and say that the rule is silent on the question of telephone. The rule only relates to telegraphs and railways, and it does not include telephone, and it is for you to say whether it is misquoted or whether I am right. According to my humble opinion, the question relating to telephone is not prohibited in the Chamber.

**President.**—The question was not referred to me for reconsideration at all. The Government Advocate takes the view that it is precluded under the rules, and they say that they are not prepared to answer.

**Mr. A. B. Salem.**—If they say that the question is precluded, are you to rule again and say that what they say is correct? Are you justified in saying that?

**President.**—I think it is clearly precluded. That is my own view.

**Mr. K. Achyuta Menon.**—I think reference to (h) is wrong. Any agreement with the Paramount Power means any part of the power exercised by the Imperial Telephone. The Imperial Telephone is part of the Paramount Power, and that department will be in agreement with the Paramount Power, and so we are precluded. Even otherwise, I say Government could have coolly said "we are not prepared to answer". Then they will ask why, and thus a supplementary question will arise. Then we can say that it is precluded. Is the President to say the reason why we have been precluded?

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**Mr. A. B. Salem.**—That is not a proper answer, because the President is entitled to say whether the question is right or wrong. You may say it is wrong, you may give evasive answers, you may give us anything. That will not be an answer. All these will not concern the President of the House. You will appear in the public eye, as you answer, but the President's duty is to maintain the rights of the Members of the House. If you take protection under any clause of the Regulation, it is our right to appeal to the President and say that that has no application. There is the Regulation, and Government has no right to interpret the Regulation in this House except with the permission of the President. If the Diwan is given power to interpret, he must publish them; but they have no power to say that we consider such rules prohibit us.

**President.**—This is the opinion of the Government Advocate.

**Mr. A. B. Salem.**—The Law Member has conceded the point that clause (h) goes, and only (c) remains. What is the answer given?

**President.**—I want to avoid these things. We are not allowed to go into the regions of discussion. The proper function is to put questions and to get answers. That is all we have to do here.

**Mr. A. B. Salem.**—I am sorry I am a little misunderstood. I am not talking upon the question. I am standing on a point of order. I now take question (c)—there, Paramount Power means His Majesty's Government. A particular department under it coming and taking a lease of a property under an agreement, will not constitute an agreement with the Paramount Power under the section. They might have leased it, but that will not be an agreement with the Paramount Power. Suppose Mr. A. B. Salem holds certain properties and lease them to the Government under an agreement will he be said to have entered into an agreement, with the Paramount Power?

**Mr. C. A. Ouseph.**—On a point of information, Sir. If the Government files a suit against Mr. A. B. Salem, then who will be made a party to the suit?

**Mr. A. B. Salem.**—I wish to draw your attention to say that clause (c) does not cover an agreement with reference to the carrying on of any business, and if there is an agreement with the Telegraph Department upon a certain understanding, it will not be an agreement which will come under clause (c). If you rule so, I will sit down. Otherwise, I will say that you are taking away our valuable rights. Even the Madras Municipality is taking money from the Telephone company which goes into their treasury. I want to get that money to be taken into our treasury. That is all.

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**President.**—I want some time to pass my ruling.

**Mr. A. B. Salem.**—Thank you, Sir.

**Mr. C. A. Ouseph.**—Is question time over, Sir? There is only one question remaining. That also may be taken up.

**President.**—Question time is over.

**154. Mr. A. B. Salem.**—Will the Government be pleased to state the reason or reasons for not answering the above questions at any of the last two sessions of the Council;

(2) will they also be pleased to state the officer or officers concerned in the preparation of the answers to these questions, and when they were sent to the officers, and how long they took to send their replies to the Government to prepare the answers for the Council's use?

**Mr. A. K. Vengu Ayyar.**—The question came up only once before in the Meenam session, and it was not possible to collect the necessary materials for furnishing an answer in that session. The Government regret that the details called for in part (2) cannot be furnished.

## The production and consumption of paddy.

**155. Mr. C. A. Ouseph.**—Will the Government be pleased to state;—

(a) the average annual production of paddy in the State;

(b) the average annual consumption of paddy in the State as an article of food;

(c) the period during which the paddy produced in the State will meet the requirements of the people;

(d) the period during which imported rice and paddy have to be depended upon by the people of the State;

(e) to what profession do the importers of the rice and paddy referred to in (d) belong?

**Mr. P. Damodara Menon.**—

(a) 21 Millions of paras.

(b) 33.6 Millions of paras.

(c) For about seven months.

(d) For about five months.

(e) Trade.

## Commerce and Industry.

**156. Mr. C. A. Ouseph.**—Will the Government be pleased to state:—

(a) whether commerce and industry have played any part in the development of the State during the last 25 years;

(b) what is the part played by commerce and industry in the development of the State during the last 25 years;

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